

REMARKS

I. DRAWINGS

In the Office Action dated February 26, 2003, the drawings were objected to. Fig. 2 has been corrected by substituting numeral --92-- for numeral 98 as shown in red ink on the enclosed copy of Figs. 2 and 3, as corrected.

In the detailed action the drawings are objected to because the reference sign "68" in Fig. 5 was not mentioned in the specification. On page 4, line 18 the "trailing end 68" is set forth and therefore it is submitted that no correction is necessary.

II. REJECTIONS UNDER 35 U.S.C. §103(a) OVER MURPHY, ET AL IN VIEW OF FELTEN

Claims 1 – 6 and 9 – 12 were rejected under 35 USC § 103(a) as being unpatentable over Murphy, et al in view of Felten.

Claim 1

The Examiner points out that Murphy "fails to disclose a means for moving the knife normally towards and away from the ply stock, inserting the leading point at an insertion point spaced a distance from the first lateral edge, inserting the lead point into the slot after going through the ply stock, and a home position directly above an insertion point". A discussion of Felten follows in which it is stated "Felten is capable of inserting the blade at any point on the ply stock including the insertion point disclosed by applicant". Felten does not have a knife blade but relies upon disc cutters to do the cutting. It is submitted that even if Felten would insert the disc cutter at a position spaced from the edge the cutter would not provide the cutting action of the present invention because it does not have the back cutting feature of the blade set forth in Claim 1 "said knife assembly including a blade having a cutting portion including a leading point, a leading edge and a trailing edge, said trailing edge having an associated length (L), whereby "a. moving said knife assembly toward said ply stock to insert the leading point of

said knife blade into said ply stock at an insertion point spaced a distance (D) from said first lateral edge wherein distance (D) is less than or equal to said length (L) in order to back cut said ply stock from said insertion point to said first lateral edge with said trailing edge of said blade;”.

In Felton, column 4, lines 52 – 63 it is stated “the carrier means 85 is moved towards the table 83 causing the disc C to penetrate the stock S between ---. Continued downward movement toward the table by the carrier means 85 displaces the cutter C toward the right as seen in Fig. 8 rolling the cutter outwardly toward the closer edge of the ply stock S. The carriage means 91 is then traversed towards the left thereby moving the cutter to reenter the groove between the pair of cords or wires to roll on the hard surface thereby severing or parting the ply stock between the pair of cords or wires”.

In the method of the present invention as set forth in Claim 1 there is no “traversing of the cutter C towards the right” to cut the closer edge and then traversing the cutter “towards the left” thereby moving the cutter to reenter the groove between the cords as proposed by Felten. There is no teaching of the method of Claim 1 where it is stated there is an insertion of “the leading point of said knife blade into said ply stock at an insertion point spaced a distance (D) from said first lateral edge” in order to back cut said ply stock, and then “b. traversing said knife assembly across said ply stock towards said second lateral edge”. Claim 1 accordingly clearly distinguishes this method over the method of Murphy in view of Felten. This is true whether or not Felten is used to cut thin or thick materials. Reconsideration and allowance of Claim 1 is respectfully requested.

Claim 2

Claim 2, which is dependent upon Claim 1, was rejected for the same reasons as Claim 1. This claim is directed to inserting the knife blade into a slot in the support surface of the anvil which is generally aligned with the cut line for maintaining the leading point within the slot while the knife assembly traverses the ply stock. In Murphy a groove 38 in the anvil 36 is provided to receive the knife blade 40 to cut the tread 32. This groove is of limited depth and does not teach or show “providing a slot in an anvil for maintaining the leading point of the knife blade within a slot while the knife assembly traverses the ply stock” as set forth in claim 2.

Claim 2 is believed to be allowable for these reasons and for substantially the same reasons as set forth above for Claim 1.

Claim 3

Claim 3, which is dependent upon Claim 1, is directed towards a method including means for heating the knife blade before inserting the leading edge into the ply stock which further facilitates back cutting wherein the blade is inserted in the cords of the ply stock without damaging the cords. In Murphy the electrically heated knife blade is for cutting a tread without any cords and the object is to cut the tread using the force from a pneumatic cylinder to provide a constant air pressure which will vary the cutting speed. There is no teaching or showing of heating the knife blade before inserting the leading edge into the ply stock for cutting the ply stock without damaging the cords of the ply as set forth in Claim 3. Claim 3 is believed to be allowable for this reason and for substantially the same reasons set forth above for Claim 1.

Claim 4

Claim 4, which is dependent upon Claim 3, is directed to maintaining the heating means near the first lateral edge of the ply stock during the traversing of the knife assembly. This again is directed to the feature of back cutting the ply at the first lateral edge during insertion of the knife blade. Claim 4 is believed to be allowable for this reason and for substantially the same reasons as set forth above for Claim 3.

Claim 5

Claim 5, which is dependent upon Claim 1, is directed to the feature of the concave cutting portion of the leading edge engaging the ply stock after inserting the leading point into the ply stock which is important for maintaining the blade in position between the cords of the ply stock. This "hawk bill" shape is not shown or taught in the references and accordingly Claim 5 is believed to be allowable for this reason and for substantially the same reasons as set forth above for Claim 1.

Claim 9

Claim 9 is directed to the cutting apparatus with “a blade having a cutting portion including a leading point, a leading edge and a trailing edge; said trailing edge having an associated length (L)” wherein “said knife assembly having a home position wherein said leading point of said blade is directly above an insertion point of said associated ply stock and wherein distance (D) between said first lateral edge of said associated ply stock and said insertion point is less than or equal to said associated length (L) of said trailing edge. Claim 9 distinguishes in patentable manner from Murphy et al in view of Felten for substantially the same reasons set forth for Claim 1 herewith . This Claim sets forth the unique elements of the apparatus for back cutting the ply stock at the first lateral edge which is set forth in method Claims 1 – 5. Accordingly, Claim 9 is believed to be allowable for this reason and substantially the same reasons set forth for Claims 1 – 5.

Claim 10

Claim 10, which is dependent on claim 9, is directed to the feature of the “slot in a support surface” being “generally aligned with said cut line”. This slot in cooperation with the blade of Claim 9 provides for back cutting the ply stock and is believed to be allowable for this reason and substantially the same reasons set forth for Claim 9.

Claim 11

Claim 11, which is dependent on Claim 9, is directed to “means for heating said knife blade” and further provides for effective “back cutting” of the ply stock without having to move the cutter towards the associated edge after insertion in the slot. Claim 11 is believed to be allowable for this reason and substantially the same reasons set forth for Claim 9.

III. CONCLUSION

This case is now believed to be in condition for allowance and such action is respectfully requested. The Commissioner is hereby authorized to charge any deficiency in the required fee or to credit any overpayment to Deposit Account No. 501210.

Respectfully submitted,

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Date

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